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## Agency official testifies

# CIA: No record of Tafoya employment

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FORT COLLINS — The records-keeping chief of the CIA's clandestine operations wing Monday told a jury in the Eugene Tafoya trial that there is no record of the ex-Green Beret ever having worked for the agency.

George L. Marling, a 20-year-veteran of the agency, testified that CIA records searches showed "no record of employment or use of Mr. Tafoya in any activity."

Tafoya, 47, is on trial for attempted first-degree murder and conspiracy to commit murder in the Oct. 14, 1980, wounding of Libyan dissident Faisal Zagallai.

A keystone of Tafoya's defense has been the contention that he thought he was working for the CIA when he called on Zagallai to give him an official agency "warning" to stop making anti-Zionist radio broadcasts to the Middle East.

Defense attorney Scott Robinson attempted to defuse Marling's testimony by calling into question the CIA's record-keeping practices, and the agency's so-called policy of denial.

By that policy, classified or "embarrassing"

agency operations allegedly can be kept out of official records.

Marling, the first CIA witness in the 5-week-old trial, took the stand as a prosecution rebuttal witness after the defense rested in midafternoon. He has been chief of the operations group of the information management staff of the CIA's directorate of operations since 1979.

Marling acknowledged the existence of a CIA "policy of denial," but said he has "no knowledge of any exclusion (in the records) of any properly authorized CIA operation."

He also testified that the CIA has no record of contact since 1977 with accused gunrunner Edwin Wilson. Authorities say Wilson has supplied terrorists for the regime of Libyan leader Col. Moammar Khadafy. The prosecution holds Wilson was behind Zagallai's shooting although he was not charged.

Under cross-examination by Robinson, Marling would not disclose Wilson's whereabouts in September 1976, calling that information "classified."

Tafoya claims he applied for work with the CIA in 1978. Marling said the agency keeps work

applications for just two years. So Tafoya's application, if there was one, no longer exists.

A late surprise came to the trial when CIA legal counsel Jerry Johnson identified himself in the audience after Robinson's request that Fort Collins District Judge J. Robert Miller query the packed courtroom.

The defense claims Johnson told Fort Collins chief Detective Ray Martinez last fall that the CIA planned to deny any Tafoya link to the agency whether or not it had ever employed him.

And how did the defense detect Johnson's presence?

"I just had a feeling he was here," said defense attorney Walter Gerash. "Maybe it was his trench coat."

Earlier, Tafoya concluded his own stint on the witness stand. He reiterated that when the .22-caliber revolver that wounded Zagallai discharged, both men were in possession of it.

He also told the jury that he was working for an alleged CIA operative named "John" and not Wilson at the time of the Zagallai shooting.

Gerash said the case could go to the jury by Wednesday morning.